

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## EQUALITY IMPACT ASSESSMENT

EqIA : The RBWM Gambling Act 2005 Statement of Principles 2022 - 2025

### Essential information

Items to be assessed: (please mark 'x')

<b>Policy</b>	x	<b>Plan</b>		<b>Project</b>		<b>Service procedure</b>	
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<b>Responsible officer</b>	Greg Nelson	<b>Service area</b>	Housing, Health and Trading Standards	<b>Directorate</b>	Adults , Health and Housing
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<b>Stage 1: EqIA Screening (mandatory)</b>	Date created: 02/09/21	<b>Stage 2 : Full assessment (if applicable)</b>	Date created :
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**Approved by Head of Service / Overseeing group/body / Project Sponsor:**

*"I am satisfied that an equality impact has been undertaken adequately."*

**Signed by (print):** Tracy Hendren

**Dated:** 09/09/2021

### Guidance notes

**What is an EqIA and why do we need to do it?**

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

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- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqIAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqIA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

### **What are the “protected characteristics” under the law?**

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

### **What's the process for conducting an EqIA?**

The process for conducting an EqIA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

### **Openness and transparency**

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

### **Enforcement**

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

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### Stage 1 : Screening (Mandatory)

#### 1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

The overall aim of the RBWM Gambling Act 2005 Statement of Principles 2022 – 2025 is to provide a framework for the approach that will be taken to administering applications for licences under the Gambling Act 2005. Its key objectives are

- i) to provide applicants, officers, Members and residents with a clear guide to the law, best practice, and local considerations that will be applied to applications for licences under the Gambling Act 2005
- ii) to comply with statutory requirements
- iii) to avoid legal challenges during RBWM licensing hearings and court proceedings

**1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as “Not Relevant”.**

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Protected characteristics	Relevance	Level	Positive/negative	Evidence
<b>Age</b>	Relevant	Medium	Positive	Paragraph 1.5 of the Policy states that RBWM, as the licensing authority, recognises its duty to promote equality under the Equality Act 2010. Under this Act, “Age” is a protected characteristic. This duty will be followed and implemented by RBWM officers in carrying out all aspects of licensing administration
<b>Disability</b>	Relevant	Medium	Positive	Paragraph 1.5 of the Policy states that RBWM, as the licensing authority, recognises its duty to promote equality under the terms of the Disability Discrimination Acts 1995 and 2005, the Equality Act 2006 and other relevant legislation as amended by the Equality Act 2010. Under the Equality Act 2010 “Disability” is a protected characteristic. This duty will be followed and implemented by RBWM officers in carrying out all aspects of licensing administration.
<b>Gender re-assignment</b>	Relevant	Medium	Positive	Paragraph 1.5 of the Policy states that RBWM, as the licensing authority, recognises its duty to promote equality under the Equality Act 2010. Under this Act, “Gender reassignment” is a protected characteristic. This duty will be followed and implemented by RBWM officers in carrying out all aspects of licensing administration
<b>Marriage/civil partnership</b>	Relevant	Medium	Positive	Paragraph 1.5 of the Policy states that RBWM, as the licensing authority, recognises its duty to promote equality under the Equality Act 2010. Under this Act, “Marriage and civil partnership” is a protected characteristic. This duty will be followed and implemented by RBWM officers in carrying out all aspects of licensing administration
<b>Pregnancy and maternity</b>	Relevant	Medium	Positive	Paragraph 1.5 of the Policy states that RBWM, as the licensing authority, recognises its duty to promote equality under the Equality Act 2010. Under this Act, “Pregnancy and maternity” is a protected characteristic. This duty will be followed and implemented by RBWM officers in carrying out all aspects of licensing administration

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<b>Race</b>	Relevant	Medium	Positive	Paragraph 1.5 of the Policy states that RBWM, as the licensing authority, recognises its duty to promote equality under the terms of the Race Relations Act 1976 (Amendment) Regulations 2003. This duty will be followed and implemented by RBWM officers in carrying out all aspects of licensing administration. Paragraph 2.8.3 recognises that harm caused by gambling is disproportionately higher amongst Black, Asian and other ethnic minority individuals and paragraph 2.8.4. requires that licence holders and applicants reflect this when carrying out their Local Risk Assessment under paragraph 2.7
<b>Religion and belief</b>	Relevant	Medium	Positive	Paragraph 1.5 of the Policy states that RBWM, as the licensing authority, recognises its duty to promote equality under the Equality Act 2010. Under this Act, "Religion or belief" is a protected characteristic. This duty will be followed and implemented by RBWM officers in carrying out all aspects of licensing administration
<b>Sex</b>	Relevant	Medium	Positive	Paragraph 1.5 of the Policy states that RBWM, as the licensing authority, recognises its duty to promote equality under the Equality Act 2010. Under this Act, "Sex" is a protected characteristic. This duty will be followed and implemented by RBWM officers in carrying out all aspects of licensing administration
<b>Sexual orientation</b>	Relevant	Medium	Positive	Paragraph 1.5 of the Policy states that RBWM, as the licensing authority, recognises its duty to promote equality under the Equality Act 2010. Under this Act, "Sexual orientation" is a protected characteristic. This duty will be followed and implemented by RBWM officers in carrying out all aspects of licensing administration

### Outcome, action and public reporting

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Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No			
Does the strategy, policy, plan etc require amendment to have a positive impact?	No			

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered “No” or “Not at this Stage” to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

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### Stage 2 : Full assessment

#### 2.1 : Scope and define

**2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.**

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**2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? List those groups who the work is targeting/aimed at.**

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### 2.2 : Information gathering/evidence

**2.2.1 What secondary data have you used in this assessment?** *Common sources of secondary data include: censuses, organisational records.*

**2.2.2 What primary data have you used to inform this assessment?** *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

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### Eliminate discrimination, harassment, victimisation

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

### Advance equality of opportunity

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Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

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### Foster good relations

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

**2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts? If so please summarise any updates.**

*These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.*